

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, OCTOBER 11, 2006

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MI 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
MARIE MALBURG, TREASURER  
DINO F. BUCCI, JR, TRUSTEE  
JANET DUNN, TRUSTEE  
ROGER KRZEMINSKI, TRUSTEE  
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel  
Jerome Schmeiser, Planning Consultant  
James VanTiflin, Engineering Consultant  
*(Additional attendance on file at the Clerk's Office)*

Supervisor BRENNAN called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**ROLL CALL**

1. Clerk KOEHS called the roll and the entire Board of Trustees was present.

**APPROVAL OF THE AGENDA**

2. The agenda was reviewed and items 18c and 20a were added to the agenda.

**MOTION by DUNN seconded by BUCCI to approve the agenda as amended.**

**MOTION carried.**

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

**MOTION by NEVERS seconded by MALBURG to approve both bill runs as presented.**

**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

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4. The minutes of the previous meeting held on September 27, 2006 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by KRZEMINSKI seconded by BUCCI to approve the minutes of the meeting of September 27, 2006 as presented.**

**MOTION carried.**

**AGENDA ITEMS**

**5. Consent Agenda Items:**

**A. Clerk's Department:**

1. Landscaping Bond Release/Margherita Estates, West side of Card Road north of 22 Mile Road, Section 22.
2. Site Plan Bond Release; Pozio's Retail Center; Located on the northwest corner of Hall & Snover Roads; Section 36; Evans Pozios, Petitioner. Permanent Parcel No. 08-36-477-009.
3. Wall Sign Bond Return; Penzoil; located at 45502 N. Gratiot, Section 36. Parcel No. 08-36-429-009.
4. Model Permit Bond Release; Deerfield Park Subdivision-Lot No.'s 12,15,75,36, 37; Section 22 SRV Builders Inc, Petitioner. .

**B. Department Monthly Reports: (FIRST MEETING OF THE MONTH ONLY)**

1. Building Department
2. Fire Department
3. Macomb County Sheriffs Department
4. Parks and Recreation Department
5. Water/Sewer Department

**MOTION by DUNN seconded by NEVERS to approve the Consent Agenda as presented.**

**MOTION carried.**

**6. Public Comments - (3 minute time limit)**

Mr. Mark Chaffin spoke about the Fence Ordinance. Ms. Susan Smaelle spoke about the cost of garbage pick up. Mr. Daniel Spatafora spoke about the proposed sewer for 24 Mile Road east of Romeo Plank Road.

**Public Hearing**

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7. Request to Adopt Resolution No. 2, Golfview Estates Subdivision Detention Basin

The public hearing was opened at 7:12 p.m. Mr. Brennan explained the proposed Detention Basin Special Assessment District.

**MOTION by BUCCI seconded by KRZEMINSKI to close the public hearing**

**MOTION carried.** *(The public hearing was closed at 7:14 p.m.)*

**MOTION by DUNN seconded by NEVERS to adopt Resolution No. 2 and create the Special Assessment District for the Detention Basin for Golfview Estates Subdivision.**

**MOTION carried.**

## PLANNING

8. Extension of Time; Tentative Preliminary Plat for Legacy Farms Subdivision; Located on the west side of Fairchild Road and approximately ¼ mile north of 22 Mile Rd; Section 24; Classic Development Petitioner. Parcel No.08-24-401-004.

Mr. Jerome Schmeiser, Community Planning Consultant, reviewed this item and stated his recommendation for a one year extension.

Mr. Ken Davis, representing the petitioner, was present to answer any questions that the Board might have.

**MOTION by BUCCI seconded by KRZEMINSKI to approve the extension of time for the Tentative Preliminary Plat for Legacy Farms Subdivision, Parcel No.08-24-401-004 for one year, to expire on October 27, 2007.**

**MOTION carried.**

9. Extension of Time; Landscape and Pathway Variance for Clearstone Subdivision; Located on the southwest corner of 26 Mile Road and Luchtman Road; Section 5; Lehner Associates, Petitioner. Parcel No. 08-05-200-011.

Mr. Jerome Schmeiser, Community Planning Consultant, reviewed this item and stated his recommendation for a one year extension.

Mr. William Thompson, representing the petitioner, was present to answer any questions that the Board might have.

**MOTION by KOEHS seconded by DUNN and NEVERS to approve the extension of time for Landscape and Pathway Variance for Clearstone**

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**Subdivision; Located on the southwest corner of 26 Mile Road and Luchtman Road; Section 5; Lehner Associates, Petitioner. Parcel No. 08-05-200-011 to expire on June 1, 2007.**

**MOTION carried.**

**OLD BUSINESS**

10. Burning Tree; House Demolition Issue

Mr. Brennan and Mr. Lawrence Dloski, Attorney, reviewed the current status of this item and indicated that Mr. Dloski had spoken with the property owner. The owner stated that his financing did not go through and he was unable to restore the property.

**MOTION by KOEHS seconded by KRZEMINSKI to approve the demolition of the fire damaged home on Burning Tree Lane by Walker Construction, in the amount of \$11,500.00.**

**MOTION carried.**

**NEW BUSINESS**

11. Request for Liquor License Transfer; 15429 21 Mile Rd; Section 30; Downtown Liquor II, Inc, Petitioner.

Mr. Brennan reviewed this matter and stated his recommendation for approval of the transfer.

**MOTION by BUCCI seconded by MALBURG to approve the Liquor License Transfer at 15429 21 Mile Rd; Section 30 as presented.**

**MOTION carried.**

12. Request to Schedule Public Hearing Date for Industrial Facilities Tax Abatement; Nachi Machining Technology Company. (October 25, 2006)

Clerk Koehs suggested the hearing be set for Wednesday, October 25, 2006 at 7:00 p.m.

**MOTION by KRZEMINSKI seconded by KOEHS to approve the request to schedule October 25, 2006 as the public hearing date for this item as presented.**

**MOTION carried.**

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13. Request to Schedule a Public Hearing date for Establishment of Industrial Development District for Regency Commerce Center Unit 26. (Nov. 27, 2006)  
Clerk Koehs suggested the hearing be set for Monday, November 27, 2006 at 7:00 p.m.

**MOTION by DUNN seconded by NEVERS to approve the request to schedule November 27, 2006 as the public hearing date for this item as presented.**

**MOTION carried.**

**FIRE DEPARTMENT**

14. Request to Adopt the Knox-Box Key System

Chief Robert Phillips reviewed the need for the Knox-Box Security system and explained all of the benefits of such a system for improving access to closed businesses in case of a fire emergency after hours.

**MOTION by KRZEMINSKI seconded by DUNN to approve the adoption of the Knox-Box Key System as presented.**

**MOTION carried.**

15. Request for Approval to Hire Paid-on-Call Fire Fighters

Chief Robert Phillips reviewed this request and introduced the candidates to be hired as follows: Brian Avery, Ryan Gierman, Daniel Grager, James LeFurgey, Evan Pile, Thomas Putnam, Damion Rice, and Gregory Schlitt.

**MOTION by KOEHS seconded by BUCCI to approve the hiring of eight additional Paid-On-Call Firefighters as presented.**

**MOTION carried.**

- 15a. Additional Item: Chief Phillips indicated three of these firemen need additional training at a cost of \$800.00 per person. He also stated that the obligation of the fire fighters was to work for Macomb Township for at least two years after the training or they would have to reimburse the township for the cost of the training they had received.

**MOTION by KRZEMINSKI seconded by NEVERS to approve this additional training at a total cost of \$2400.00.**

**MOTION Carried**

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**WATER AND SEWER DEPARTMENT**

16. Purchase Requisitions-SLC Meter Service .

Mr. Brennan reviewed this matter and stated his recommendation for approval.

**MOTION by MALBURG seconded by DUNN to approve the purchase requisition as presented for a cost of \$26,006.10.**

**MOTION carried.**

17. Temporary Cement Batch Plant Request, Florence Cement Company

Mr. Brennan reviewed this request and indicated that Mr. David Koss, Water and Sewer Superintendent, recommended a thirty day period instead of the sixty period that the company was requesting.

**MOTION by DUNN seconded by BUCCI to approve this request from October 10, 2006 to November 10, 2006 as presented.**

**MOTION carried.**

**BOARD COMMENTS**

18. Supervisor Comments:

18a. Preliminary Road Cost Agreement-Romeo Plank from M-59 to 21 ½ Mile Road Widening Project.

Mr. Brennan reviewed this proposal and indicated that he would like some direction from the Board of Trustees.

**MOTION by BUCCI seconded by KRZEMINSKI to table this item to October 25, 2006.**

**MOTION carried.**

18b. Dedication of 21 Mile Road Right of Way Request; N.W. ¼ of Section 33, Macomb Twp, Macomb County MI.

Mr. Brennan reviewed this proposal and indicated that he would like some direction from the Board of Trustees.

**MOTION by BUCCI seconded by KRZEMINSKI to table this item to October 25, 2006.**

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**MOTION carried.**

18c. Amendments to the Human Resource Director's Contract Agreement.

**MOTION by KRZEMINSKI seconded by NEVERS to approve the three amendments as presented.**

**MOTION Carried.**

19. Clerk Comments: NONE

20. Treasurer Comments:

20a. Summer Taxes

Ms. Marie Malburg, Treasurer, indicated that she would like the Board to set the rate for processing the summer tax collections.

**MOTION by KRZEMINSKI seconded by DUNN to set the summer tax collection rate at \$3.00 per parcel.**

**MOTION Carried.**

21. Trustees Comments:

**EXECUTIVE SESSION**

**MOTION by BUCCI seconded by MALBURG to adjourn into Executive Session at 7:55 p.m.**

**MOTION Carried.**

**Board reconvenes at 9:01p.m.**

22. Simone B. Mauro v Township of Macomb

**MOTION by KOEHS seconded by DUNN to deny the proposed Consent Judgment.**

**MOTION carried.**

23. Easement Acquisition, 25 Mile and Hayes Road Water Main Project.

**MOTION by KOEHS seconded by NEVERS to approve the easement acquisition as proposed.**

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**MOTION carried.**

24. Polaris v Macomb Township

**MOTION by KOEHS seconded by BUCCI to authorize the township attorney to present a counter offer.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board meeting at 9:01 p.m.**

**MOTION carried.**

Respectfully submitted,

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John D. Brennan  
Macomb Township Supervisor

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Michael D. Koehs, CMC  
Macomb Township Clerk